

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

FIDELITY AND GUARANTY INSURANCE
COMPANY,

Plaintiff,

v.

STAR EQUIPMENT CORPORATION,
CHARLENE B. FORAN, JOHN J. FORAN,
and TOWN OF SEEKONK,

Defendants.

CIVIL ACTION NO. 04-10250-EFH

JOINT STATEMENT PURSUANT TO LOCAL RULE 16.1(D)

Pursuant to the Notice of Scheduling Conference dated February 18, 2004, Rule 16(b) of the Federal Rules of Civil Procedure and Local Rule 16.1(D) (D. Mass.), counsel for the plaintiff, Fidelity and Guaranty Insurance Company, counsel for the defendants, Star Equipment Corporation, Charlene B. Foran and John J. Foran, and counsel for the defendant, Town of Seekonk, have conferred and submit the following:

I. PROPOSED AGENDA OF MATTERS TO BE DISCUSSED AT SCHEDULING CONFERENCE

Establishment of pretrial schedule, including discovery, motions and case management conferences.

II. PROPOSED PRETRIAL SCHEDULE

A. Joint Discovery Plan

<u>Event</u>	<u>Deadline</u>
1. Service of Rule 26 Initial Disclosures	6/22/04
2. All motions under Fed. R. Civ. P. 12, 19 and 20 filed	8/20/04
3. Completion of Party and Fact Witness Depositions	5/31/05

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| 4. | Deadline for plaintiff's expert disclosures | 6/30/05 |
| 5. | Deadline for defendant's expert disclosures | 7/31/05 |
| 6. | Completion of Trial Expert Depositions | 9/30/05 |
| 7. | Deadline to file Summary Judgment Motions | 10/31/05 |

III. MAGISTRATE JUDGE

The parties do/do not consent to trial by a magistrate judge.

**IV. CERTIFICATION OF CONFERENCE REGARDING BUDGET AND
ALTERNATIVE DISPUTE RESOLUTIONS**

The parties will file their certifications, pursuant to Local Rule 16.1(D)(3), under separate cover.

Respectfully submitted,

FIDELITY AND GUARANTY
INSURANCE COMPANY,

By its attorneys,

/s/ Eric H. Loeffler, Esq.
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STAR EQUIPMENT CORPORATION,
CHARLENE B. FORAN, JOHN J. FORAN,

By their attorneys,

/s/ E. David Edge, Esq.
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TOWN OF SEEKONK,

By its attorneys,

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